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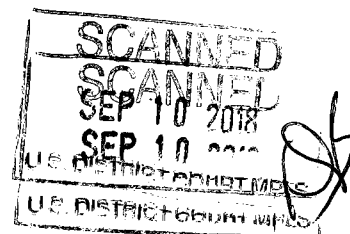
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

James Irving Dale, Plaintiff, Vs. Tom Roy, et al., Defendants.	Civil File: 18-cv-886 (DWF/DTS) LEGAL DECLARATION IN SUPPORT OF SECOND MOTION FOR A CONTINUANCE TO RESPOND TO THE DEFENDANT'S MOTION TO DISMISS
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PURSUANT to 28 U.S.C. § 1746 I, James Irving dale swear under penalty of perjury
that the following legal declaration of true and correct:

1. I recently filed a motion for a continuance to respond the the State Defendant's motion to
dismiss [Doc.¹ 44 & 45] because of the conditions of my Intensive Supervised Release
make it hard for me to do any type of legal work ("ISR").
2. The Attorney for Defendant ANAGRAM International and it's employees has filed a
motion to dismiss [Doc. 50].
3. The Attorney for Defendant Centurion of Minnesota and it's employees has filed a
motion to dismiss along with a motion for joinder with the State defendants [Doc. 40].
4. As I have previously stated [Doc. 45] the conditions of my ISR are overwhelming.

¹ Docket



5. I live in a homeless shelter called the "Pursuit Hometel." The conditions are squalor. My roommate is a meth addict who spends hours going in and out of the room while I'm trying to sleep. I work second shift so I'm lucky if I get three hours sleep a night. I have sores all over my legs from getting bit by bed bugs. There's urine and feces on the bathroom floors most days. I've lost track of how many times I have seen people passed out on the floor from drug or alcohol abuse. These conditions cause me extreme anxiety, which makes it hard for me to concentrate.
6. I have tried to move out of the Pursuit; but due to ISR policies; I have been unable to find housing. No landlord wants men in bullet proof vests showing up to the apartment building at 2:00am to get a breathalyzer or urine sample.
7. Many of my family and friends would allow me to move in with them; but again they do not want ISR agents showing up at their home or apartment.
8. I recently went through chemotherapy for my Hepatitis-C ("HCV") infection. I also suffer from Post Traumatic Stress Syndrome ("PTSD") and Antisocial Personality Disorder ("APD"). I have been prescribed medical cannabis and going to the gym as treatment for the aforementioned medical conditions. However, ISR policy will not allow me to use medical cannabis or go to the gym.

9. I also suffer from extreme hypoglycemia. I have constant bouts of low blood sugar levels.


The conditions that I live in cause me anxiety which often prevents me from being hungry or being able to eat. I have been prescribed medical care for this (going to the gym and medical cannabis) but ISR policy will not allow me to do either.

10. I intend to file suit over the aforementioned ISR policies. however, I simply do not have the time or resources to do so right now.

11. My sentence expires on December 8, 2018. I have discussed with my family and friends about going back to prison to finish the remainder of my sentence. Sadly I will have more resources and better living conditions in prison.

12. Due to all the aforementioned issues I will be unable to respond to any of the Defendants motions to dismiss until after my sentence expires on December 8, 2018.

Signed and sworn this 7th day of September 2018


James I. Dale
1918 Park Avenue
Minneapolis, MN 55404